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అధికారముచలన ప్రచురించబడినది.

నెం. 5(2) గుంటూరు, 2012వ సంవత్సరము, మే నెల, 23వ తేది, బుధవారము

Copy of :-

PROCEEDINGS OF THE COLLECTOR & DISTRICT MAGISTRATE, GUNTUR

Present : SRI V.N. VISHNU, I.A.S.,

[R.Dis. No.1389/09/C4, Dated : 06-05-2012]

Sub : CASTE VERIFICATION - Guntur District - Piduguralla Village and Mandal - Fresh enquiry conducted on "KAMMARA - ST" caste status in respect of Paladugu Venkata Lakshmi Narayana, S/o Prasada Rao - Orders - Issued.

Read :
1. Orders of the High Court of Judicature, Andhra Pradesh, Hyderabad W P No. 13719 of 2001, dated 14-10-2009.
2. This Office Procdgs. Rc. 919/2001/C4, dated 27-6-2001.
3. RDO., Narasaraopet Rc. 1023/2010/E, dated 25-5-2010.
4. Letter of Sri P.Venkata Lakshmi Narayana, S/o Prasada Rao, dated 18-12-2009.
5. Lr.Rc. T2/23/2012, dated 23-1-2012 of the District Tribal Welfare Officer, Guntur.
6. Lr. Rc. 816/48/2000/TRI/VC-2, dated 7-12-2011 of the Commissioner of Tribal Welfare, A.P., Hyderabad.
7. Findings of the District Level Scrutiny Committee, dated 27-2-2012.
8. This Office Notice, dated 13-3-2012.
9. Reply Lr. of Sri Paladugu Venkata Lakshmi Narayana, S/o Prasada Rao, Piduguralla, Guntur District, dated 4-4-2012.
10. Other connected papers.

* * *

ORDER :

The Hon'ble High Court of Judicature, Andhra Pradesh, Hyderabad has ordered the Collector and District Magistrate to initiate fresh enquiry by referring the dispute relating to the caste status to the committee and directed that the District Collector shall give an adequate opportunity to the petitioner to meet all the allegations and submit the relevant material before them to substantiate his claim to prove that he belongs to "KAMMARA-ST" community.

Accordingly, the matter was placed before the District Level Scrutiny Committee and the Joint Collector and Chairman of the D.L.S.C. was pleased to instruct the Revenue Divisional Officer, Narasaraopet to submit a report regarding the caste of Sri Paladugu Lakshmi Narayana, S/o Prasada Rao.

In the ref. 3rd cited, the Revenu Divisional Officer, Narasaraopet reported that the Tahsildar, Piduguralla has stated that the forefathers of Sri Paladugu Venkata Lakshmi Narayana, S/o Prasada Rao had come from Visakhapatnam to Ongole and his father came to Piduguralla in the year 1988 and the family belongs to Kammara Caste, the Gothram being Hanumanthu and they observed the traditions of Kammara i.e., earting pork and beaf at the time of burial of dead bodies at burial ground, they are used to pay tribute to Gangamma and the occupation of the family is Kolimi work and on verification of transfer certificate of Sri Paladugu Venkata Lakshmi Narayana, the caste was recorded as Kammara Caste.

The Revenue Divisional Officer, Narasaraopet in his report concluded that in view of the above circumstances, the caste of Sri Paladugu Venkata Lakshmi Narayana, S/o Prasada Rao, resident of Piduguralla is Kammara caste, which comes under Scheduled Tribe.

The DLSC conducted enquiry on 18-12-2009, 12-1-2010, 24-8-2010 and 7-9-2010 respectively. On 18-12-2009 the individual attended the meeting but it was postponed. The individual and his father have attended the meeting on 12-1-2010 and the father of the individual Sri Paladugu Prasada Rao gave statement along with documentary evidence to support their caste.

The District Level Scrutiny Committee which was held on 7-9-2010 under the Chairmanship of the Joint Collector examined the reports of the Tahsildar, Revenue Divisional Officer, evidences produced by the father of the individual and the opinion of the DTWO., Guntur. The District Tribal Welfare Officer, Guntur who enquired into the matter stated that "Kammara" caste is not prevailing in Guntur District and opined that it needs through examination by the TCR & TI, since the applicant stated that he has migrated from Visakhapatnam to Ongole and residing in Guntur District for the last 3 generations. The District Level Scrutiny Committee decided to refer the case to TCR & TI., Hyderabad and the same was communicated to the TCR & TI., A. P., Hyderabad.

The Commissioner of Tribal Welfare, Andhra Pradesh, Hyderabad has referred the matter to the District Tribal Welfare Officer, Guntur vide Lr. Rc. 816/48/2000/TRI/VC-2, dated 7-12-2011 and the District Tribal Welfare Officer, Guntur vide Lr.Rc. TR/23/2012, dated 23-1-2012, stated that Sri Paladugu Venkata Lakshmi Narayana, S/o Prasada Rao applied for Admission into I.B.E./B.Tech. course under ST Quota in 2000-2001 and the individual claimed that he belongs to "KAMMARA-Scheduled Tribe" of Piduguralla village and Mandal of Guntur District. At the time of admission, the verification officers kept his claim under doubtful category and advised him to appear before the Commissioner of Tribal Welfare, A.P., Hyderabad with the relevant documentary evidences to prove his caste claim and he appeared before the Commissioner of Tribal Welfare on 16-10-2000 and furnised information, the Commissioner decided to conduct detailed enquiries at all connected places.

The District Tribal Welfare Officer, Guntur has further submitted that the Transfer certificate of Sri Paladugu Venkata Lakshmi Narayana was tampered. As per the school records, Sri Kandrathi Srinivasa Rao maternal uncle of Paladugu Venkata Lakshmi Narayana belongs "KAMMARA-BC" community, his TC was also tampered with a clear purpose and malafide intention.

The DTWO., Guntur stated that "VISWA BRAHMIN" caste consits of five occupational sections (i.e. Kammara, Kansali, Vadrangi, Kanchari and Shilipi). Kammaras practise black smithy but never work in agricultural fields.

The District Triabl Welfare Officer, Guntur further stated that the Tribal Cultural Research Institute, Hyderabad verified the birth and death records of Piduguralla Grama Panchayat Wherein the caste of Sri Paladugu Prasada Rao and members of his family was not noted as belonging to Scheduled Tirbe. The District Tribal Welfare Officer finally stated that his enquiry revealed that Sri Paladugu Prasada Rao (candidate's father) and the members of his family belong to "Viswa Brahmin" community which comes under BC catefgory, but not KAMMARA - ST.

Further, the District Tribal Welfare Officer stated that the Kammara Scheduled Tribe is a distinct endogamous group inhabiting in the Scheduled areas of Srikakulam, Visakhapatnam, East Godavari and West Godavari Districts. The said 'Kammara' Tribe is divided into a number of totemic clans like Korra (sun) Bhallu (Bear) Bhag (Tiger) Grang (Water) Hanuman (Monkey) and these clan names are of other Scheduled Tribes living in Scheduled areas. But this organization is not evidently found in the Social Organisations of Viswa Brahmin community pursuing Kammaram (Black smithy) though known to be living in the plain areas Original Kammara Tribe people are carnivorous (non vegetarian) where as Kammara BCs are herbivorous (Vegetarians).

He further stated that the ethnographic information furnished by the applicant and his father has neigher similarity nor comparison at all with the ethnographic information furnished in G.O.Ms. No. 245, S.W.(E)Department, dated 30-6-1997 on Kammara Tribe. On the other hand his family gor roots of relationship and family bonds with the people living in Guntur and Prakasam Districts which are not the traditional habitat of Kammara tribe, strikingly the information furnished by them matches favourably with that of Viswa Brahmin caste (BC community) which is notified as Backward class under Group 'B' vide G.O.Ms. No. 1793, Education Department, dated 23-9-1970.

Further, the District Tribal Welfare Officer, Guntur stated that the Commissioner of Tribal Welfare concluded that Sri Paladugu Venkata Lakshmi Narayana belongs to Viswa Brahmin community which comes under BC category and the applicant cannot be considered as a member of Kammara Schedule Tribe.

The D.T.W.O., Guntur therefore finally stated that Sri Paladugu Venkata Lakshmi Narayana does not belong to Kammara Schedule Tribe and the caste certificate issued to him earlier should be cancelled.

After throughly reviewing the enquiry reports and documentary evidences furnished by the Enquiry Officers viz., Revenue Divisional Officer, Narasaraopet, (2) DTWO., Guntur, (3) Evidences produced by the individual through his father before the DLSC on 12-1-2010 and the opinion of the Commissioner for Tribal Welfare; the District Level Scrutiny Committee came to conclusion that Sri Paladugu Venkata Lakshmi Narayana does not belong to "KAMMARA - ST" and the individual can only be treated as a member of backward class i.e., Viswa Brahmin.

In consequence the District Level Scrutiny Committee opined that the orders issued by the then Collector, Guntur vide Proceedings Rc. 919/2001/C4, dated 27-6-2001 for the cancellation of Kammara Caste certificate issued by the Mandal Revenue Officer, Piduguralla, in favour of Sri Paladugu Venkata Lakshmi Narayana, S/o Prasada Rao, stood acceptable and indisputable and the D.L.S.C. submitted its findings on 27-2-2012 to the Collector, Guntur accordingly. The Chairman of the D.L.S.C., felt that the Revenue Divisional Officer, Narasaraopet submitted report without making proper enquiry and his report cannot be accepted.

Agreeing with the recommendations of the DLSC, a notice was issued by the Collector to show cause why the "KAMMARA" (ST) Caste Certificate issued to Sri Paladugu Venkata Lakshmi Narayana, S/o Prasada Rao by the Mandal Revenue Officer, Piduguralla vide C No. 000642, dated 20-6-2000 should not be cancelled, basing on the recommendations of the District Level Scrutiny Committee while the orders issued by the then Collector, Guntur vide Proceedings Rc. 919/2001/C, dated 27-6-2001.

Sri Paladugu Venkata Lakshmi Narayana, S/o Prasada Rao sent his reply on 4-4-2012, stating that the DLSC., on one hand agreed with the report of the Revenue Divisional Officer, Narasaraopet but on the other hand cancelled his ST caste certificate basing on the report given by TCR & TI., A.P., Hyderabad and the D.T.W.O., Guntur. He argued that even though the Hon'ble High Court rejected the said reports of the D.T.W.O., Guntur and the TCR & TI., A.P., Hyderabad the D.L.S.C., placed reliance on the same reports which is not correct. He finally claimed that the traditional caste pursuit of KAMMARA is BALCKSMITH and Agriculture. His caste bear surya, Puli, Hanumantha, Ganga etc., as GOTRAM names, his caste people eat all kinds of meat, the dead persons of his caste people are buried funeral rights performed on the 3rd and 15th day in the presence of caste elders, the caste people offer liquor and meat during the funeral days. Liquor and meat consumed by caste people during both the auspicious and inauspicious occasions. The marriages of the caste people are performed in the presence of caste elders. The bride grooms has to pay OLI to the bride; they pray to the Goddess Poleramma, Ganganamma and Ankalamma. He finally, claimed that he belongs to KAMMARA -ST and therefore requested the DLSC., to decide accordingly, other wise he demanded for showing the documentary evidence to treat his caste as VISWA BRAHMANA.

The petitioner has not submitted any relevant documentary evidence that has a strong bearing on his claim. His explanation and pleadings are not convincing and not supported by documentary evidence with regard to the migration of his grand father and the place of origin of forefathers. The individual has not furnished any evidences to support the features of traditional Kammara caste (ST) as mentioned in G.O. Ms. No. 245, Social Welfare (E) Department, dated 30-7-1997.

After going through the entire record and explanation offered by the individual, it is concluded that the individual has not submitted any relevant documents proving his calim. I therefore agree with the recommendations ofthe District Level Scrutiny Committee and confirm the Proceedings Rc. 919/2001/ C4, dated 27-6-2001 issued by the then Collector, Guntur. In the result "Kammara - ST" caste certificate issued by the Mandal Revenue Officer, Piduguralla vide C No. 000642, dated 20-6-2000, in favour of Sri Paladugu Venkata Lakshmi Narayana, S/o Prasada Rao stands cancelled.

V.N. VISHNU,
Collector,
Guntur.

NOTIFICATION

In view of the recommendations of the District Level Scrutiny Committee and in exercise of powers conferred under Section 5(1) of the A. P. (SC, ST & BCs) Regulation of Issue of Community Certificates Act, 16 of 1993 read with Rule 9(7) of AP (SC, ST & BC) issue of Community, Nativity and Date of Birth Certificate Rules 1997, communicated vide G. O. Ms. No. 58, Social Welfare (J) Department, dated 12-5-1997, it is hereby declared that the "KAMMARA - ST" caste certificate issued by the Mandal Revenue Officer, Piduguralla vide C No. 000642, dated 20-6-2000, in favour of Sri Paladugu Venkata Lakshmi Narayana, S/o Prasada Rao, is liable for cancellation, therefore the Proceedings Rc. 919/2001/C4, dated 27-6-2001 issued by the then Collector, Guntur are hereby confirmed.

V.N. VISHNU,
Collector & District Magistrate.

Guntur,
6th May, 2012.

[R.Dis. 1389/09/C4.

SESSIONS COURT - GUNTUR

ORDER :

In the reference cited above and in exercise of the powers confirmed by Sub Section (1) of Section 14 and Sub Section (2) of Section 15 of the code of the Crl. Procedure I, M. Vengaiah M. Com., L.L.M., Chief Judicial Magristrate of Guntur District hereby make the following special orders.

The II Special Judicial Magistrate of II Class, Guntur is placed incharge until further orders and shall try summarily any offence under Indian Penal Code and other local Acts which are punishable only with fine or with imprisonment for a term not exceeding 6 months or with or without fine and any abetment of or attempt to commit any such offence mentioned under Section 261 of the Code of the Criminal Procedure.

The V Additional Junior Civil Judge, Guntur is hereby requested to hand over the charge to the II Special Judicial Magistrate of II Class, Guntur immediately and also requested to transfer the pending cases pertaining to Medikondur P.S. to the II Special Judicial Magistrate of II Class, Guntur.

(Sd.),
Chief Judicial Magistrate,
Guntur.
[Dis. No. 715

NOTIFICATION

Statement showing the lapsed deposits of above Rs. 50/- for the Financial year 2009-2010 relating to the Court of Senior Civil Judge, Bapatla.

Sl. No.	Suit No.		Amount Rs.
1.	OS	114/83	120-00
2.	SC	39/95	121-00
3.	LAOP	92/89	179-00
4.	LAOP	95/89	320-00
5.	LAOP	97/89	217-00
6.	LAOP	98/89	244-00
7.	LAOP	89/89	235-00
8.	IP	5/02	249-00
9.	IP	1/01	379-00
10.	IP	7/99	432-00
11.	SC	3/2000	400-00
12.	IP	9/01	224-00
13.	IP	6/02	330-00
14.	IP	4/02	30-00
15.	SC	43/97	327-00
16.	SC	191/97	327-00
17.	LAOP	99/89	217-00
18.	OS	132/95	100-00
19.	AS	17/02	196-00
20.	OS	10/85	256-00
21.	OS	111/02	250-00
22.	OS	66/98	345-00

Sl. No.	Suit No.		Amount Rs.
23.	AS	99/2000	295-00
24.	OP	9/72	452-00
25.	OP	133/61	239-00
26.	OP	49/69	385-00
27.	OP	10/71	416-00
28.	OP	11/71	478-00
29.	SC	28/02	380-00
30.	AS	17/04	61-00
31.	SC	23/93	190-00
		Total:	8,694-00

(Rupees Eight thousand six hundred and ninety four only)

(Sd.),
Senior Civil Judge,
Bapatla.
[Dis No. 433

ముద్రణ కమీషనరుగారిచే ప్రభుత్వ ప్రాంతీయ ముద్రణాలయము, విజయవాడనందు ముద్రించబడి, జిల్లా కలెక్టరుగారిచే ప్రచురించబడినది.